



January 15, 2025

**MEMORANDUM
HONORABLE EDWARD R. KORMAN
U.S. DISTRICT COURT JUDGE**

**RE: FAUCI, William
Docket Number: 01-CR-1336
Request for Release of Presentence
Report & Judgement**

On March 7, 2003, William Fauci (Fauci) was sentenced by Your Honor, to fifteen (15) months' imprisonment followed by three (3) years' supervised release. A \$200 special assessment fee was also imposed. This sentence followed a guilty plea to Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. 1956(a)(1)(B)(i) and (h), a Class C felony and False Statements, in violation of 18 U.S.C. 1001(a)(2), a Class D felony.

According to the U.S. Department of Justice, Office of the Pardon Attorney, Fauci has filed an application for pardon. As part of their investigation, the Office of the Pardon Attorney has requested a copy of Fauci's presentence report, statement of reasons, and judgment, as well as comments relating to his compliance on supervised release, to assist their investigation in determining whether the pardon should be granted.

It is the position of the General Counsel of the Administrative Office of United States Courts that presentence and supervision records of the United States Probation Department are confidential and cannot be released without the permission of the sentencing court. Guide to Judiciary Policies and Procedures. Vol. X, Chap. IV, Part D, pg. 34-35, Federal Probation, Sept. 1993, pg. 76-80.

The General Counsel's opinion appears to be consistent with the case law in this circuit. See U.S. v. Charmer Industries, 711 F.2d 1164 (2d Cir. 1983), holding that releasing a presentence report to a third party is permissible only when the court finds such disclosure is in the interest of justice.

We believe that disclosure of the requested information would be in the interest of justice in this case. Consequently, the Probation Department recommends that Fauci's presentence report, statement of reasons, judgment, and letter summarizing his supervision compliance to the Office of Pardon Attorney accordingly, so they can determine his suitability for said application. We respectfully await the Court's decision in this matter.

RESPECTFULLY SUBMITTED:

ROBERT L. CAPERS
CHIEF U.S. PROBATION OFFICER

Prepared by: Joshua Mack ^{Digitally signed by Joshua Mack}
^{Date: 2025.01.15 14:16:00 -05'00'}
Joshua Mack
U.S. Probation Officer Specialist

THE COURT ORDERS:

- ☒ Release of the Presentence Report, Letter of Supervision Compliance, Statement of Reasons & Judgment **Approved**
- ☐ Release of the Presentence Report, Letter of Supervision Compliance, Statement of Reasons & Judgment **Denied**
- ☐ Other

/s/ Edward R. Korman, U.S.D.J.
Signature of Judicial Officer

January 17, 2025
Date